

PTO/PCT RSC'd 07 JAN 2000

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Colin DUNLOP
Serial no. : 09/423,776
Filed : with an effective filing date of May 13, 1998
For : METHOD AND APPARATUS FOR
MONITORING HAEMODYNAMIC FUNCTION
Docket : GRIHAC P26AUS

BOX PCT

The Commissioner of Patents and Trademarks
Washington, D.C. 20231

REQUEST FOR REFUND

Dear Sir:

Enclosed is a Verified Statement Claiming Small Entity Status form, signed by the necessary inventor, concerning the above identified application. In view of the timely submission of this form, a refund of one half of the previously paid filing fee for this case, namely a refund in the amount of **\$593**, is now believed in order. Please issue a check in that amount to the office of the undersigned or credit the below indicated deposit account.

In the event that the Patent Office disagrees with the above, it is respectfully requested that the Patent Office forward to the undersigned a formal explanation of why a refund is not proper in this instance.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



Michael J. Bujold, Reg. No. 32,018

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on January 7, 2000.

By: _____
Print Name: Michael J. Bujold


FORM PTO-1390 (Rev 5-93)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER GRIHAC P26AUS	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (If known, use 37 C.F.R. 1.5) 09/423,776	
INTERNATIONAL APPLICATION NO. PCT/AU98/00356		INTERNATIONAL FILING DATE 13 May 1998		PRIORITY DATE CLAIMED 13 May 1997	
TITLE OF INVENTION METHOD AND APPARATUS FOR MONITORING HAEMODYNAMIC FUNCTION					
APPLICANT(S) FOR DO/EO/US Colin DUNLOP					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.					
2. <input checked="" type="checkbox"/> This is a SECOND submission of items concerning a filing under 35 U.S.C. 371.					
3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).					
4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.					
5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))					
a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).					
b. <input type="checkbox"/> has been transmitted by the International Bureau. (PCT/IB/308 mailed)					
c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)					
6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)) is attached.					
7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))					
a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).					
b. <input type="checkbox"/> have been transmitted by the International Bureau.					
c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.					
d. <input type="checkbox"/> have not been made and will not be made.					
8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).					
9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).					
10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).					
Items 11. to 16. below concern other document(s) or information included:					
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98 with PTO FORM 1449.					
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.					
13. <input type="checkbox"/> A FIRST preliminary amendment.					
<input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.					
14. <input type="checkbox"/> A substitute specification.					
15. <input type="checkbox"/> A change of power of attorney and/or address letter.					
16. <input type="checkbox"/> Other items or information:					
<input type="checkbox"/> Preliminary Examination Report		<input type="checkbox"/> Copy of Request			
<input type="checkbox"/> Annexes to Pre. Ex. Rep.		<input type="checkbox"/> ___ sheets of formal drawings			
<input type="checkbox"/> International Search Report		<input type="checkbox"/> Abstract			
<input type="checkbox"/> German Novelty Search Report		<input checked="" type="checkbox"/> Verified Statement Claiming Small Entity Status			
<input type="checkbox"/> ___ copies of citations		<input checked="" type="checkbox"/> Request for Refund			
<input type="checkbox"/> Form PCT/IB/308		<input type="checkbox"/> German Language Specification			
<input type="checkbox"/> International Publ. No. _____		(Face page only)			

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Transmittal Letter and the papers indicated as being transmitted therewith is being deposited with the United States Postal Service on this date **January 7, 2000** in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number **EL347242144US** addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.


Michael J. Bujold

(typed or printed name of person mailing paper)



(signature of person mailing paper)

17. ■ The following fees are submitted:

				CALCULATIONS	PTO USE ONLY
Basic National Fee (37 CFR 1.492(a)(1)-(5)):					
Search Report has been prepared by the EPO or JPO				\$840.00	
International preliminary examination fee paid to USPTO (37 CFR 1.482)				\$670.00	
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).				\$760.00	
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO				\$970.00	
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)				\$96.00	
ENTER APPROPRIATE BASIC FEE AMOUNT =				0	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				130	
Claims	Number Filed	Number Extra	Rate		
Total Claims	-20 =	0	x \$18.00	0	
Independent Claims	-3 =	0	x \$78.00	0	
Multiple dependent claim(s) (if applicable)			+ \$260.00	0	
TOTAL OF ABOVE CALCULATIONS =				130	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				0	
SUBTOTAL =				65	
Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	0
TOTAL NATIONAL FEE =				0	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	0
TOTAL FEES ENCLOSED =				65	
				Amount to be: refunded	\$
				charged	\$
<p>a. ■ A check in the amount of \$ <u>65.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>04-0213</u> in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. ■ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>04-0213</u>. A duplicate copy of this sheet is enclosed.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p style="text-align: center;"> Michael J. Bujold -- Registration No. 32,018 Davis and Bujold Fourth Floor 500 North Commercial Street Manchester, NH 03101 Telephone (603) 624-9220 Telefax (603) 624-9229</p>					